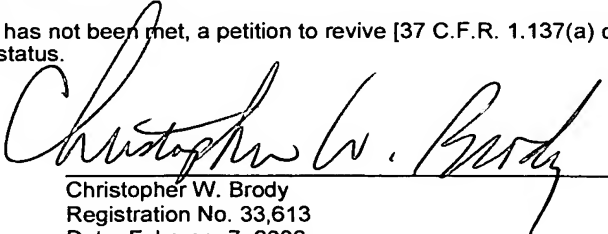


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| FORM PTO-1390 (REV 2-2005) OMB-0651-0021 | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY DOCKET NO. 12007-0051 | |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | | DATE: February 7, 2006 | |
| | | | | U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.5) 10/534,885 | |
| INTERNATIONAL APPLICATION NO. PCT/DE2003/003787 | | INTERNATIONAL FILING DATE November 14, 2003 | | PRIORITY DATE CLAIMED November 15, 2002 | |
| TITLE OF INVENTION: BIODEGRADABLE COLLOIDAL PARTICLES FOR PULMONARY APPLICATIONS IN PARTICULAR (AS AMENDED) | | | | | |
| APPLICANT(S) FOR DO/EO/US: Werner SEEGER, Thomas SCHMEHL, Tobias GESSLER, Ann Lea DAILEY, and Matthias WITTMAR | | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | | | |
| 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED) | | | | | |
| 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. | | | | | |
| 3. <input type="checkbox"/> This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). | | | | | |
| 4. <input type="checkbox"/> The US has been elected (Article 31). | | | | | |
| 5. <input type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)] a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). | | | | | |
| 6. <input type="checkbox"/> An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)]. a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). | | | | | |
| 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)] a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. | | | | | |
| 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]. | | | | | |
| 9. <input type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]. | | | | | |
| 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]. | | | | | |
| Items 11 - 20 below concern other document(s) or information included: | | | | | |
| 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. | | | | | |
| 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. | | | | | |
| 13. <input type="checkbox"/> A FIRST preliminary amendment. <input checked="" type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. | | | | | |
| 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. | | | | | |
| 15. <input type="checkbox"/> A substitute specification. | | | | | |
| 16. <input type="checkbox"/> A power of attorney and/or change of address letter. | | | | | |
| 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. | | | | | |
| 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). | | | | | |
| 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). | | | | | |
| 20. <input checked="" type="checkbox"/> Other items or information: PTO Form 1449 & 6 references | | | | | |

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| U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) 10/534,885 | | INTERNATIONAL APPLICATION NO. PCT/DE2003/003787 | | ATTORNEY DOCKET NO. 12007-0051 DATE: February 7, 2006 | |
| <input type="checkbox"/> The following fees are submitted: | | | | CALCULATIONS | PTO USE ONLY |
| <input type="checkbox"/> 21.) Basic National Fee \$300 | | | | \$ | |
| <input type="checkbox"/> 22.) Examination Fee - If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200 | | | | \$ | |
| <input type="checkbox"/> 23.) Search Fee - If Search Fee (37 CFR 1.445(a)(2)) has been paid in the International Application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office. \$400 All other situations \$500 | | | | \$ | |
| TOTAL OF 21, 22 and 23 = | | | | \$ | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | \$ | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| -100 | /50= | | x \$250 | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(h)]. | | | | \$ | |
| Claims | Number Filed | Number Extra | Rate | | |
| Total Claims | - 20 = | 0 | X \$50.00 | \$ | |
| Independent Claims | - 3 = | 0 | X \$200.00 | \$ | |
| Multiple dependent claim(s) (if applicable) | | | + \$360.00 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | |
| Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½ | | | | \$ | |
| SUBTOTAL = | | | | \$ | |
| Processing fee of \$130.00 for furnishing the English translation later the 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ | |
| Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ | |
| | | | | Amount to be refunded | \$ |
| | | | | Charged | \$ |
| a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge Counsel's Deposit Account No. 50-1088 in the amount of \$ to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Counsel's Deposit Account No. 50-1088. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: CLARK & BRODY 1090 Vermont Avenue, N.W. Suite 250 Washington, D.C. 20005 Telephone: 202-835-1111 Fax: 202-835-1755 Customer Number: 22902 | | | | | |
| | | | |  Christopher W. Brody Registration No. 33,613 Date: February 7, 2006 | |